

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Donald Wilkins,)	C/A No.: 1:12-cv-3352-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Carolyn W. Colvin, Acting Commissioner)	
of Social Security,)	
)	
Defendant.)	
_____)	

On February 24, 2014, the plaintiff filed a motion for attorney's fees pursuant to the Equal Access to Justice Act ("EAJA"), 42 U.S.C. § 2412, on the basis that the position taken by the defendant in this action was not substantially justified. Defendant filed a response on March 5, 2014, in which she does not object to the amount requested. The Commissioner further asserts pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010) that fees awarded should be paid to the prevailing party and not the attorney and would be subject to offset under the Treasury Offset Program if the plaintiff owes a debt to the government at the time the EAJA fees are awarded.

Based on the foregoing and after considering the briefs and materials submitted by the parties, the court orders the defendant to pay the sum of \$4,644.66 in attorney's fees pursuant to EAJA. The payment shall be made to the claimant, and the check shall be mailed to the office of his attorney.

IT IS SO ORDERED.

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge

March 10, 2014
Florence, South Carolina